REMARKS

Claims 1-11 were rejected for rejected for double patenting. Applicant requests reconsideration. The present application is different than US Patent 7,139,302, as claim 1 refers to a staggered Manchester code not found in the claims of US Patent 7,139,302. Notwithstanding, a terminal disclaimer was previously filed. An authorization to charge account is provided herewith. The amendment to the specification, repeated herein, that includes the term uniphase was objected to for adding new matter. Applicant requests reconsideration. The claims 1-11 were rejected as anticipated by Raghavan. Applicant request reconsideration.

The difference between the present invention and Raghavan lies in the differences in modulation signaling. Both are directed to CDMA communications. Both generate split and null spectra of two communicated signals. Raghavan teaches the use of quadriphase signaling, as independent claim 1 includes the limitation of "modulated in quadrature". The drawings and specification of Raghavan teach quadriphase modulation by the use of I and Q quadrature signals. The present invention does not use I and Q quadriphase signaling, but rather superimposes the two uniphase signals. As such the present invention is not anticipated by Raghavan.

The present invention is patentable over Raghavan as Raghavan teaches quadrature modulation. Raghavan is directed specifically to GPS communications where quadriphase signaling is employed using

QPSK modulator. This quadriphase signaling in Raghavan is enabled by the use of 90° phase shifter 97, shown in Figures 2C and reflected in Figure 2B, during modulation. This quadriphase modulation requires quadriphase demodulation as enabled by a tracking loop using quadrature demodulators 72 and 115, as requiring a 90° phase off set signal. By contradistinction, the present invention proceeds contrary to the teachings of Raghavan. The present invention uses uniphase signaling and is applicable to BPSK modulation. The present invention cannot be used for GPS modulation and demodulation.

One looking to increase channel capacity of a uniphase signaling system would not look to a quadriphase signaling system. The natural development of the field of spread spectrum communication is from BPSK to QPSK. Those skilled in the art in QPSK communication would not see advantages to BPSK communications. This is apparent by the lack of mention of split and null spectra communication in Raghavan as applied to BPSK signaling. Raghavan, is also a coinventor of the present application. Coinventor Raghavan never thought at the time of Raghavan to apply the split and null spectra of quadriphase communications backward to BPSK communications. Further, Raghavan was concerned with adding a new code for improved navigation that relies upon GPS quadriphase signaling, that is not applicable to uniphase signaling of BPSK, as BPSK is not used in a navigation system relying upon GPS quadrature signals. Those skilled in the art of navigation systems broadcast GPS QPSK signals for purposes of improving the pseudo range accuracy, and do not think in terms of general communications

channel capacity, whereas, those skilled in the art general communications think in terms of channel capacity. As such, one skilled in the art would not look to teachings of GPS QPSK signaling for improvement of pseudo range accuracy to increase generally channel capacity in uniphase BPSK communication systems.

No new matter was introduced through the addition of the uniphase limitation by way of amendment. Raghavan specifically teaches quardrature modulation. Independent claim 1 and the specification have been amended to include the limitations that the first spread spectrum signal and the second spread spectrum signal respectively uniphase modulating a carrier, and that, the dual spectrum signal is a uniphase dual spectrum signal. The specification has been amended to include the limitation of uniphase modulation. The drawing clearly shows that no quadrature modulation is used. The specification teaches synchronized modulation of a carrier. There is no reference to I and Q signals or quadrature modulation in the drawings. This uniphase modulation would be readily apparent to anyone skilled in the art. No new matter has been added.

The use of uniphase modulation is clear and obvious to anyone skilled in the art. Specifically, the mixers 22 and 38 produce respective NRZ spread spectrum signals. Because these signal are used to modulate a carrier, the outputs of mixers 22 and 38 are known in the art as baseband signals that modulate a carrier. These baseband signal are well known signals having a signal phase. The specification clearly teaches that that the modulators 24 and 40

modulate a single carrier. A carrier by definition has a signal phase. As such, the modulated signals from modulators 24 and 40 are uniphase signals. As such, the modulators 24 and 40 are uniphase modulators receiving uniphase input baseband signals and providing uniphase signals having a modulated carrier. There is no doubt to anyone skilled in the art that the modulators 24 and 40 provide uniphase signals. No new matter has been added. The term uniphase is used to distinquish uniphase modulation from I and Q modulation found in Raghavan.

Raghavan teaches quadriphase signaling using split and null spectra for increased pseudo range accuracy. Whereas, the present invention teaches uniphase signaling, using split and null spectra for increased channel capacity. Raghavan does not teach or suggest the present invention. Allowance of claims is requested.

Respectfully Submitted

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